

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



January 18, 2006

Thu 13a

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the City of San Diego, certifying the City's Local Coastal Program Amendment No. 2-04A (Fourth Quarterly Update), is adequate to effectively certify its local coastal program (for Commission review at its meeting of February 8-10, 2006)

BACKGROUND

At its June 8, 2005 meeting, the Coastal Commission certified, with suggested modifications, the City of San Diego Local Coastal Program Amendment #2-04A, regarding the Fourth Quarterly Update to the City's Land Development Code. By its action via the revised ordinances (O-2006-50, O-2006-50a, O-2006-51) and Resolution No. R-2006-427 adopting the ordinances and directing the City Manager to submit for final certification on November 15, 2005, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed clarifications to the Land Development Code that assure for coastal development in the coastal overlay zone (that is not exempt pursuant to Section 126.0704 of the Code), any deviations from the development regulations for reasonable accommodations would only be permitted if there is no feasible alternative that provides greater consistency with the certified Local Coastal Program. In addition, for the findings for Site Development Permits for public right-of-way encroachments, language is added to assure that the encroachment is consistent with the supplemental use regulations of the coastal overlay zone in order to assure protection of coastal resources (i.e., protection of public views, public access, etc.).

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of San Diego is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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SAN DIEGO, CA 92108-4402
(619) 767-2370



February 14, 2006

Mayor Jerry Sanders
City of San Diego
202 "C" Street, 12th Floor
San Diego, CA 92101

RE: Certification of the City of San Diego Local Coastal Program Amendment
No. 2-04A (Fourth Quarterly Update to Land Development Code)

Dear Mayor Sanders:

The California Coastal Commission has reviewed the City's revised ordinances (O-2006-50, O-2006-50a, O-2006-51) and Resolution No. R-2006-17 together with the Commission's action of November 15, 2005 certifying City of San Diego Local Coastal Program Amendment No. 2-04A pertaining to the Fourth Quarterly Update to the Land Development Code. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of February 8-10, 2006.

By its action on November 15, 2005, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed protection of biological resources, parameters for brush management, adequacy of retail commercial uses, the concentration of development, provision of a transportation demand management program, and protection of visual resources. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

Peter Douglas
Executive Director